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ZNR UUUUU ZZH
O 080718Z MAY 06
FM AMEMBASSY MANILA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0879
INFO RUEHXS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
RUEAIIA/CIA WASHDC
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RHHMUNA/CDRUSPACOM HONOLULU HI

UNCLAS SECTION 01 OF 02 MANILA 001965

SIPDIS

SENSITIVE
SIPDIS

DEPT FOR EAP, EAP/MTS, DRL/CRA

E.O. 12958: N/A

TAGS: [PGOV](#) [PINS](#) [PHUM](#) [RP](#)

SUBJECT: FIVE LEFTIST LAWMAKERS PEACEFULLY DEPART CONGRESS,
ENDING IMPASSE

REF: A. OPS CENTER-MANILA 05/08/06 TELECON

- [1](#)B. MANILA 1886
- [1](#)C. MANILA 1792
- [1](#)D. AND PREVIOUS

[1](#)1. (U) This message is Sensitive but Unclassified -- Please handle accordingly.

[1](#)2. (SBU) Summary: After two months holed up in Congress, five leftist representatives left the Batasan Pambansa (congressional) complex in Metro Manila on May 8. The "Batasan Five" -- who had feared arrest if they left the complex -- were greeted by several hundred supporters during a peaceful rally. Malacanang -- in response to a court ruling last week -- had announced that it had no plans to arrest the lawmakers at this time, though it might seek to bring sedition charges at a later date. The peaceful ending of the impasse was constructive for Filipino politics, with the GRP deserving credit for acting with restraint. End Summary.

[1](#)3. (U) "Batasan Five" Go Free: Declaring "victory" over the government, the handful of lawmakers known as the "Batasan Five" walked out of the Batasan Pambansa complex at 11:30 a.m. on May 8. They were greeted by several hundred supporters during a peaceful rally. The complex effectively had served as the lawmakers' home since late February, when they sought refuge there to avoid arrest on charges of rebellion raised by the GRP during the February 24 - March 3 State of National Emergency (ref C). The five left the premises only after receiving assurances from the Philippine National Police (PNP) that they could safely depart, as per orders from the Department of Justice (DoJ). The lawmakers had made a May 6 announcement of their intent to leave, warning of a "politically bloody" battle if they were arrested.

[1](#)4. (U) A Clear-cut GRP Announcement: In a meeting on May 7, Cabinet officials involved with national security affairs decided to allow the "Batasan Five" to go free from "protective custody" in the House of Representatives. In announcing the decision, DoJ Secretary Raul Gonzalez said the Cabinet task force assigned to the problem had decided against an immediate effort to arrest the lawmakers, stating, "We don't want it to be said that we are too repressive. We don't want to be a part of their script." Gonzales added, however, that the case was not over yet, averring that the DoJ might press forward with actions against the five lawmakers, while abiding by proper legal processes.

15. (U) Adverse Court Ruling: The GRP's decision not to try to arrest the lawmakers was precipitated by an adverse court ruling last week. On May 4, the Makati Regional Trial Court (RTC) in Metro Manila threw out an amended rebellion complaint filed by the DoJ on April 21, seeking to add 46 individuals -- including the "Batasan Five" -- to the two originally charged (leftist Congressman Crispin Beltran and Lt. Lawrence San Juan who remain under detention). RTC Judge Jenny Lind Delorino said she did not rule on the content of the charges, but maintained that new information could not supplant the original complaint, rendering the charges against the 46 -- including the "Batasan Five" -- effectively invalid. The DoJ has announced that it will most likely appeal the RTC's decision.

16. (SBU) Comment: The peaceful ending of the impasse was constructive for Filipino politics. At various times during the past two months, it seemed as if tensions at Congress might get out of hand, with the police and the left getting involved in a confrontation that could result in violence. The GRP deserves credit for acting with restraint once its court case was rejected by issuing clear instructions that police should stand down and allow the representatives to depart peacefully. The end of the Batasan impasse, coupled with the recent peaceful May Day rallies (ref B), tend to highlight the relative calmness of the domestic political situation at this time.

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